

1/13/97

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FAMILY CONFERENCE REPORT

Future Pursuit Deferred Information:

WhyDeferPursuit : NA

HowWhereOffScope : NA

Narrative :
NA

No Future Pursuit Information:

WhyNoFurther : OC

PrevAttemptRecov : Y

Narrative :

No further pursuit is justified. This crash occurred at a distance of more than 60 miles from the nearest landfall in North Vietnam. There were no Vietnamese fishing or Naval vessels in the area at the time of loss. It is probable that there have been no source reports because of the distance from shore and current flow. The accident was within 25 miles of the carrier task group and an immediate search effort was initiated. The sudden loss of radar and radio contact is indicative of a catastrophic event such as an explosion or high speed contact with the water. It is evident from the lack of survivors, remains, and few personal effects, that the aircraft sank quickly, not affording anyone a chance to escape. The search team at the time of loss were unable to recover the remains, and the remains are unrecoverable.

SNIE 14.3-87

HANOI AND THE
POW/MIA ISSUE

Information available as of 3 September 1987 was used in the preparation of this Estimate which was approved by the National Foreign Intelligence Board on that date.

APPROVED FOR RELEASE

29 October 1996

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SCOPE NOTE

Resolution of the fate of the 2,413 American servicemen still unaccounted for in Indochina remains a priority humanitarian issue for the US Government, which believes that it should be treated separately from other political and economic concerns. While Vietnam also publicly characterizes such an accounting as a humanitarian issue, Hanoi has used the POW/MIA issue as a means to influence public opinion in the United States and to achieve broader political objectives. This Estimate will assess Hanoi's approach to the problem, its objectives with regard to the POW/MIA issue, and the prospects for a resolution of this issue over the next two or three years.

KEY JUDGMENTS

Currently, a total of 2,413 American servicemen are unaccounted for in Southeast Asia. The governments of Indochina assert that no Americans are held captive. *To date, the analysis of information available to the US Government has not produced credible or convincing evidence that any live American POWs remain in Indochina.* However, *until the governments of Indochina are more forthcoming in resolving the POW issue, it will be difficult to conclude with absolute certainty that Americans are not being held against their will.*

There is a considerable body of evidence that the Vietnamese have detailed information on the fates of several hundred personnel. We estimate that the Vietnamese have already recovered and are warehousing between 400 and 600 remains. Thus, Hanoi could account quickly for several hundred US personnel by returning warehoused remains and by providing material evidence that could aid in determining the fate of other personnel.

Unfortunately, in the final analysis, because of such factors as the circumstances of loss and the passage of time, many missing US personnel will never be accounted for, regardless of the level of cooperation by the Indochinese governments.

We believe Hanoi desires a satisfactory resolution of the POW/MIA issue in order to remove an impediment to eventual normalization of relations with the United States. Although we doubt that Hanoi harbors expectations of significant US aid following normalization, it believes that improved relations with the United States will facilitate Vietnamese access to the World Bank and other sources of Western aid. Hanoi realizes, however, that achieving these objectives is unlikely so long as the Cambodia issue festers.

In fact, we cannot visualize any inducements, short of a change of US policy regarding either Cambodia or conditions attached to normalization of relations, that would draw Hanoi into a satisfactory early resolution of the POW/MIA issue. For Hanoi, the POW/MIA matter, though important, is clearly subordinate to its larger goals.

Although Hanoi sees a solution to the POW/MIA issue as being in its long-term interest, it also sees tactical benefits in manipulating the issue in the interim. For the short term, keeping the issue alive provides

a useful vehicle for contact with Washington on a variety of issues. At the same time, however, Hanoi does not want the issue to impede progress toward a solution in Cambodia and the eventual normalization of relations with Washington. We believe these competing impulses will continue to produce fits and starts in Hanoi's cooperation on POW/MIA questions over the near term, with the chances for sustained progress improving if Hanoi senses that progress on a Cambodia settlement is being made.

Hanoi will not hesitate to use POW/MIA matters to pressure the US Government directly on unrelated issues. In fact, we expect that Vietnam, while continuing to hold out the prospect of crash site excavations and the repatriation of remains, occasionally will resort to suspending such cooperation to indicate displeasure with US actions, as it did in April 1986 in response to the US bombing of Libya.

Vietnam is highly sensitized to the high governmental and public interest in the POW/MIA issue in the United States and can be expected to time cooperative gestures to coincide with US domestic political conditions in hope of obtaining maximum concessions. Efforts aimed at manipulating US public opinion are also likely to continue. The record suggests, for example, that Vietnamese intelligence agencies are behind many of the spurious reports of both "newly discovered" remains and alleged sightings of live POWs in Vietnam.

Should Vietnam decide to give an early resolution a higher priority, we believe significant obstacles to a full accounting would still remain:

- We doubt that Vietnam has sufficient knowledge or the technical capability to account for the fate of the majority of American MIAs.
- Even if they did, the Vietnamese would face a serious image problem should they suddenly try to return substantial numbers of remains.
- The most difficult problem of all for Hanoi would be the return of POWs should any still be alive. Hanoi would certainly be embarrassed by international reaction to its behavior and would have to be convinced that its rationale for "discovering" live POWs in Vietnam was sufficiently plausible and acceptable to minimize any such US reaction.

Although evidence of Vietnam's manipulation of Laos and Cambodia in POW/MIA matters is lacking, the foreign relations of both countries are closely aligned with Hanoi's policies. Laos, like Vietnam, has sought to gain maximum benefits for its cooperation but, unlike

Vietnam, there is no evidence that the Lao have "warehoused" US remains. In the case of Cambodia, the situation has been complicated by the absence of diplomatic contact between Washington and the Phnom Penh regime, and by security conditions that inhibit access to many parts of the country.

The Soviet Union, because of its importance as a source of aid and assistance, is the one foreign power with significant influence in Vietnam. Moscow probably sees advantages in a negotiated settlement of the Cambodia problem. But, we do not believe the Soviets are prepared to risk their influence in Vietnam by pressing Hanoi either to make significant concessions to ASEAN or to be more forthcoming with the United States on POW/MIA matters.

While no radical changes in the Chinese-Vietnamese-Soviet relationships are likely in the near term, a significant shift in the current relationships between any of these nations could dramatically alter the situation in Southeast Asia and, in turn, our assessment of the POW/MIA equation.

DISCUSSION

1. Currently, a total of 2,413 American servicemen are unaccounted for in Southeast Asia. From the US point of view, a resolution of the fates of these individuals is a priority humanitarian issue. The Vietnamese also publicly characterize such an accounting as a humanitarian, nonpolitical issue, but it is, in fact, closely tied to Hanoi's political and economic agenda.

2. The US Intelligence Community continues to emphasize the collection of information that might prove useful in determining if Americans are still being held in Indochina. From 1975 through mid-1987, 974 firsthand live sighting reports had been received. In these reports, a source claims to have seen one or more persons they believe to be American(s) under some degree of incarceration. While sighting reports continue to be received and analyzed, none has yet proved to be the sighting of an American still held captive. The analysis of these reports has shown consistently that:

- 65 to 70 percent were sightings of Americans who are accounted for (for example, returned POWs, missionaries, civilian detainees, USMC deserter Robert Garwood).
- 15 to 20 percent were determined to be fabrications.
- 10 to 20 percent are, at any particular time, still under analysis.

3. The governments of Indochina assert that no Americans are held captive. *To date, the analysis of information available to the US Government has not produced credible or convincing evidence that any live American POWs remain in Indochina.*¹ However, until the governments of Indochina are more forthcoming in resolving the POW issue, it will be difficult to conclude with absolute certainty that Americans are not being held against their will.

¹ Information on live sightings and the locations of remains usually is dated and reported secondhand or thirdhand. Moreover, the sources of these reports often have ulterior motives. For example, many are refugees seeking resettlement, while others see opportunities for financial gain.

4. On the other hand, there is considerable evidence that the Vietnamese have detailed information on the fates of several hundred personnel. North Vietnamese and Viet Cong forces had policies governing the handling of US remains that included removing identifying data, burying the remains, and sending the identification and location of the gravesite to Hanoi. We estimate that the Vietnamese have already recovered and are warehousing between 400 and 600 remains. Thus, Hanoi could account quickly for several hundred US personnel by returning warehoused remains and by providing material evidence that could aid in determining the fate of other personnel.

5. In mid-1985, the Vietnamese indicated their intention to work toward resolving the POW/MIA issue by the end of 1987. This message was conveyed through Indonesian Foreign Minister Mochtar and was welcomed by the United States. Although more remains have since been returned—a total of 58—than at any other period since the end of the war, progress toward accomplishment of the so-called "two-year work plan" has fallen victim to the same political vicissitudes that marked earlier efforts at resolving the issue.

6. There may be a minority in the Vietnamese Government who believe that Vietnam should never have treated POW/MIA matters as a "humanitarian" issue, and who feel that Vietnam has given up negotiating leverage with the United States in so doing. Most, however, probably regard the humanitarian approach as a useful fiction, one which permits both sides to maintain a degree of contact without formal relations. It permits Hanoi to demonstrate that it is dealing with a superpower on equal terms on a matter of "humanitarian" concern. In this regard, Hanoi has on occasion sought to portray its dealings with the United States on POW/MIA matters as quasi-diplomatic negotiations on a variety of regional issues.

7. We have also seen that Hanoi is willing to use POW/MIA matters to pressure the US Government directly on unrelated issues. In early 1987, Vietnamese officials, for example, protested the US sale of artillery counterbattery radars to China and the establishment of US war reserve stockpiles in Thailand and indicated

that these actions could have an adverse effect on continued cooperation in POW/MIA matters. In fact, we expect that Hanoi, while holding out the prospects of crash site excavations and the repatriation of remains, occasionally will continue to suspend such cooperation—as it did after the April 1986 US bombing of Libya—to indicate displeasure with US actions.

Vietnamese Manipulation of POW/MIA Issues

8. Publicity surrounding all aspects of the POW/MIA issue certainly affects Hanoi's decisionmaking, and past revelations over reported manipulation of human remains are no exception. Hanoi is highly

sensitized to the high governmental and public interest in the POW/MIA issue in the United States.

9. Notwithstanding Hanoi's position that POW/MIA matters are nonpolitical, there is a long history of Vietnamese manipulation of this issue. Vietnam can be expected to time cooperative gestures to take advantage of US domestic political conditions in the hope of extracting greater concessions from the United States. There is evidence that Vietnamese intelligence agencies are behind many of the spurious reports of both "newly discovered" remains and of alleged sightings of live POWs in Vietnam. US interest groups who urge Washington to make concessions to Hanoi are the primary targets of such manipulation.

The Historical Record: Two Steps Forward, One Step Back

In the 1970s, the United States demanded a "complete" accounting of POW/MIAs as a precondition to any normalization of US-Vietnamese relations. Vietnam, in turn, demanded US economic aid as a precondition. In the late 1970s, there was still a belief in Hanoi that the United States could be a source of direct assistance to Vietnam.*

When a US mission headed by Leonard Woodcock visited Hanoi in March 1977, the Vietnamese insisted that "normalization" must include US economic aid, and that normalization of diplomatic relations and the provision of US aid were interrelated. The Vietnamese were told, however, that the Paris Agreement was dead, and that the POW/MIA issue must be solved on humanitarian rather than political grounds. In Hanoi's eye, the timing and composition of the delegation reinforced its view that the United States ought to expiate its past actions. The Vietnamese view of the Commission's role was distorted, and it contributed to Hanoi's shift from flexibility to a harder line regarding reparations. The Vietnamese were counting on the receipt of aid even to the point of including any monies they might receive in their budget planning process. The Vietnamese also misinterpreted the American public's mood during the period by underestimating conservative backlash over the notion of aid and overestimating public desire to forgive and forget.

Progress toward normalization was dealt an additional setback when Congress, in 1977, passed legislation banning US aid to Vietnam—a direct repudiation of the Nixon letter. Despite the diplomatic setbacks, however, visits to Hanoi by groups or individuals perceived as "friendly" were sometimes the occasion for the return of small numbers of remains.

In the late 1970s, US-Vietnamese relations turned sharply cooler as a result of Washington's continued cultivation of China, Vietnam's rival, and subsequently as a result of the Vietnamese invasion of Cambodia.

Hanoi's 1978 invasion of Cambodia and the subsequent Chinese "lesson" consumed Vietnamese energies and reordered priorities for Hanoi's policymakers. The Cambodian campaign and concomitant threat from China forced Hanoi to double the size of its military with the resultant diversion of attention from the process of nation building. Massive Soviet aid took up much of the balance but drove Hanoi even deeper into the arms of Moscow. Hanoi failed to achieve its immediate goals in Cambodia and the war dragged on. Western condemnation of Vietnam's occupation of Cambodia brought deeper isolation. Between 1978 and 1980, there were no further returns of remains to US authorities.

In September 1982, Vietnam agreed to a longstanding US proposal that technical experts from both sides meet on a regular basis to discuss POW/MIA matters. The Vietnamese agreed to six technical meetings per year, the first of which was held in December 1982. These meetings led to the return of the remains of nine Americans in June 1983, but shortly thereafter Hanoi failed to keep to the schedule. Since then, a pattern has emerged in which, under prodding from US officials, the Vietnamese reaffirm that the issue is strictly humanitarian, release a small number of additional remains, and agree to future meetings. However, the process has frequently been interrupted by Vietnamese pique over US actions it considered arrogant or unfriendly.

* In February 1973, a letter from President Nixon to Premier Pham Van Dong read, in part, "As indicated in Article 21 of The Agreement on Ending the War and Restoring Peace in Vietnam signed in Paris on January 27, 1973, the United States undertakes this participation in accordance with its traditional policies. These principles are as follows: (1) The Government of the United States of America will contribute to postwar reconstruction in North Vietnam without any political conditions. (2) Preliminary United States studies indicate that the appropriate programs for the United States contribution to postwar reconstruction will fall in the range of \$3.25 billion of grant aid over five years."

10. There is a group of reports of approximately one dozen sources that provide explicit evidence of Vietnamese manipulation:

- The sources have been sponsored by one individual, a Vietnamese emigre with US citizenship.
- The sources frequently have been surfaced by this sponsor in a public forum—typically the media and/or Congress—before the source can be contacted by the US Government.
- The sources provide stories that initially are plausible but, upon investigation, are demonstrably fabrications.
- Several of the sources have either direct or indirect links to Vietnamese intelligence and/or security services.
- Several of the sources have made public accusations that US intelligence representatives mistreated, browbeat, or threatened them for having come forward with their reports.

11. We cannot visualize any plausible motive for Hanoi's retaining POWs against their will so long after the end of hostilities. In fact, retention of POWs would work in contravention of present Vietnamese national goals. Suggestions that Vietnam might still be "protecting" US deserters, or that Hanoi retained a number of POWs as a political hedge are speculative and unsubstantiated by any reliable evidence.

The View From Hanoi

12. Vietnam, of course, views the POW/MIA issue and its overall relationship with the United States as only one element of a much larger agenda of goals and objectives. The results of the 6th Congress of the Vietnamese Communist Party held in December 1986, with its focus on Vietnam's economic shortcomings and leadership changes, suggest that domestic priorities will be very much center stage in Hanoi's thinking over the next few years. As in the Soviet Union and China, Hanoi is attempting to implement sweeping internal economic and managerial reforms. Complementing these internal efforts are attempts by leading

Dog Tag Reports

Since 1979, when the first two were received, the US Government has received over 2,000 "dog tag reports." In these reports, an individual, usually in Vietnam, claims to have in his possession the remains of one or more American personnel. As proof of his claim, the individual provides the information found on military identification tags—service number, blood type, religious preference.

Analysis of the names shows that 80 percent of those named in the reports served in Southeast Asia but returned to the United States alive and at no time were unaccounted for. Another 12 percent of the subjects of dog tag reports were killed in Southeast Asia but their remains were recovered and identified, usually immediately after their death. Further evidence of the spurious nature of this reporting is that many of the US personnel named in the reports are "repeaters"—that is, their remains are reported to have been recovered several times and/or at widely scattered locations.

The remaining 8 percent of US personnel named in the dog tag reports are unaccounted for, raising the possibility that their remains have been recovered by civilians. However, most of these individuals were lost under circumstances where it is likely that their remains were recovered by enemy troops. During the war, Communist forces had strict instructions concerning the disposition of US remains that came into their possession. They were to remove identification media and send details of the gravesite to central authorities.

Thus, the Vietnamese Government probably has rudimentary information on the fate of many of the individuals cited in dog tag reports.

In virtually every dog tag report, the individual reporting the information is preparing to leave Vietnam under the Orderly Departure Program or has a relative abroad. Such individuals are approached by another person shortly before they leave Vietnam, are given the dog tag data, and are told to provide the information to the US Government at the first opportunity. Vietnamese living abroad frequently receive letters from family members in Vietnam with dog tag information that has been provided to the family by a third party with instructions to get the information to the US Government. Recent evidence indicates that the Vietnamese Ministry of the Interior is directly controlling the dog tag reporting using the Orderly Departure Program.

The Vietnamese Government has been reluctant either to expend its own resources in excavation of crash sites or to permit US technicians the necessary access. The Vietnamese claim that searching for US remains would not only be difficult and expensive, but they also allege that such searches are not likely to be very productive because crash sites are often plundered by the local population. Dog tag reports may be intended as "independent confirmation" that the Vietnamese Government does face problems in attempting to recover US remains.

reformists like Party leader Nguyen Van Linh and Vice Premier Nguyen Co Thach to establish and broaden economic contacts with Japan and the West that have been largely blocked because of Hanoi's Cambodia policy. Reformists are warning that failure by Vietnam to take advantage of scientific and technological advances in those countries will leave the country even further behind in its development.

13. Economic imperatives, therefore, are shaping Hanoi's strategic outlook to a far greater extent than before, moderating somewhat its earlier preoccupation with security issues such as Cambodia and the China-Vietnam border. We believe, for example, that Hanoi has probably lowered its expectations in Cambodia from insistence on outright control to some form of compromise coalition—albeit one that meets its security concerns—principally because continued rigidity blocks the important goal of normalized political and economic relations with the United States, China, Japan, and the West.

14. Over the next few years, Vietnam hopes to achieve satisfactory resolution of contentious issues that block or impede access to Western developmental assistance. Vietnam's leaders will also desire diplomatic relations with the United States as a sign of international respectability and as de facto recognition of Hanoi's political dominance in Indochina. Although we doubt that Hanoi harbors expectations of significant US aid following normalization, it probably believes that improved relations with the United States will facilitate Vietnamese access to the World Bank and other sources of Western aid. However, Hanoi apparently realizes that no breakthrough is likely so long as the Cambodia issue festers.

15. In view of its other priorities, especially the Cambodia problem, we cannot visualize any set of rational inducements—if offered apart from concessions on broader issues—that are likely to draw Hanoi into a satisfactory separate resolution of the POW/MIA issue. For Hanoi, the POW/MIA matter is clearly subordinate to larger goals. Hanoi sees a solution to the POW/MIA issue to be in its greater long-term interest, but it also sees tactical benefits in manipulating it in the interim. For the short term, keeping the issue alive provides a useful vehicle for contact with Washington on a variety of issues. At the same time, however, Hanoi probably calculates that a Cambodia solution it believes likely in the next few years will remove the principal obstacle to normalization with Washington, and we believe it will not want, what is the far less important POW/MIA issue, to impede that process.

We believe these competing impulses will continue to produce fits and starts in Hanoi's cooperation over the near term, but chances for sustained cooperation will improve if Hanoi senses that progress on a Cambodia settlement is being made.

On the Other Hand... What If?

16. Vietnamese authorities to date have been much less than forthcoming, even in regard to cases that are susceptible of resolution. The most convincing evidence that Hanoi desires to resolve the issue quickly and separate from other objectives, would be for it to repatriate all remains already reclaimed from crash sites. Although unlikely in the absence of substantial headway on broader issues such as Cambodia, there are other steps as well that we believe Vietnamese authorities could take to demonstrate a more accommodating posture. These include:

- Adhering to the regularly scheduled technical meetings.
- Providing written reports on alleged sightings of live POWs, as we have requested.
- Proceeding on an agreed schedule of joint excavations of crash sites.

17. Even if Vietnam were to accord the highest priority to resolution of the POW/MIA issue, however, significant obstacles would remain. First and perhaps most important, we doubt whether Vietnam has sufficient knowledge or the technical capability to account for the fate of the majority of American MIAs. Of the 2,413 persons not accounted for, approximately one-half are listed as killed in action/body not recovered (KIA/BNR). The evidence at the time of their loss led to the conclusion by the United States that they had been killed but their remains were not recoverable. Unfortunately, in the final analysis, because of such factors as the circumstances of loss and the passage of time, many will never be accounted for, regardless of the level of cooperation by the Indochinese governments.

18. Hanoi would also face a serious image problem should it suddenly try to return substantial numbers of remains. Hanoi could maintain that—in spite of its needs to concentrate on its own problems—to show their good faith and for humanitarian reasons, they had intensified their search and located American remains. Hanoi could also "discover" remains that had been located by villagers earlier but had not been brought to the attention of the authorities. Remains could be reburied and "discovered" by a joint US-Vietnamese team through the cooperative efforts of

Vietnamese villagers. The Vietnamese probably would seek reaffirmation of US pledges that Washington would not challenge Vietnamese explanations.

19. A more difficult problem would be the return of POWs should any still be alive. There are still a number of "discrepancy" cases, a lack of Vietnamese response to inquiries concerning them, as well as continued reports of live sightings. The greatest difficulty for Hanoi in revealing the existence of POWs would lie in providing adequate justification of its behavior to deflect US public criticism and avoid jeopardizing future relations.

20. Other factors mitigating against a sudden shift in Hanoi's POW/MIA policy include:

- An innate suspicion of US good faith.
- A general obsession for US "guarantees," and a quest for US concessions.
- A strong reluctance to forfeit political leverage.
- Popular hostility to field investigations.
- A distorted view of US willingness to offer ever greater concessions over the course of time.

21. In the context of Vietnam's current political priorities, it is highly unlikely Hanoi could overcome all these obstacles—especially in the near term—in the absence of a strong external push or domestic catastrophe. Externally, major shifts in bilateral relations—Sino-Soviet, Sino-Vietnamese, or Vietnamese-Soviet—could have a secondary or, more likely lesser, impact on disposition of the POW/MIA issue. Vietnamese occupation of Cambodia is, by far, the overriding issue for the Chinese and Vietnamese while preservation of access to Cam Ranh is important to the Soviet Union. Barring resolution of the Cambodia question, elimination of Chinese fears of Vietnamese regional hegemony, or a collapse in Vietnamese-Soviet relations, Hanoi is unlikely to elevate the POW/MIA issue to a priority sufficient to stimulate satisfactory progress.

Outside Influences

22. The Soviet Union is the one foreign power with significant influence in Vietnam. To the best of our knowledge, however, the Soviets have rarely attempted to influence the specifics of Vietnamese foreign policy. There are some signs that Moscow has indicated to the Vietnamese that it would prefer a more accommodating posture on Hanoi's part concerning a negotiated solution in Cambodia, but it is

Cambodia and Laos

Initial efforts to gain an accounting for Americans missing in Cambodia and Laos were complicated by the fact that the United States considered Vietnam as responsible for all American servicemen missing in Indochina. In the case of Cambodia, the situation has been further complicated by the absence of diplomatic relations between Washington and the Phnom Penh regime and by the fighting since 1979, which has inhibited access to many parts of the country.

In Cambodia, 82 US personnel are missing and unaccounted for; for the most part in portions of eastern Cambodia then—in 1979—under partial Vietnamese control. Appeals to the Vietnamese Government have not resulted in information concerning these persons. Because of the remote locations involved, and lingering uncertainty as to which political authority might be held responsible for the individuals in question, reliable information concerning MIAs in Cambodia will continue to be difficult to obtain.

In Laos, 552 US personnel are missing and unaccounted for. The situation with regard to Laos is superficially more promising, in that the existence of diplomatic relations provides a communications channel. Moreover, in the past two years the Vientiane government has professed a desire for improved relations with the United States, and to this end has permitted the excavation of two crash sites, one in 1985 and another in 1986. Since then, progress has been slow, for reasons probably linked to Vietnam's larger diplomatic agenda. Laos has not yet agreed to an excavation during the 1987 dry season, and has been increasingly disposed to link cooperation in regard to POW/MIA matters to a resumption of US aid.

Although evidence is lacking of Vietnamese manipulation of Laos and Cambodia in POW/MIA matters, the foreign relations of both countries are closely aligned with Hanoi's policies. In August 1986, the Hanoi-dominated Indochina foreign ministers' conference put all three countries on record as prepared to cooperate with the United States on POW/MIA matters. Laos, like Vietnam itself, has sought to gain maximum benefits for its cooperation, but there is no evidence that the Lao have warehoused remains.

unlikely that Moscow has taken a position on Vietnam's limited dealings with the United States on MIA/POW matters. Because Vietnam represents such an aid drain on the USSR—perhaps as much as \$2 billion per year—we believe that the Soviets would have no objection to increased contacts between Vietnam and the West, particularly if such contact might result in a reduced requirement for Soviet aid. It is possible that the USSR might be willing to play a

positive role in connection with the POW/MIA issue if it did not involve pressuring their ally in a way that would damage Moscow's broader interest in Vietnam.

Alternate, But Unlikely Scenarios

23. While no radical changes in the Chinese-Vietnamese-Soviet relationships are likely in the near term, a significant shift in the current relationships between any of these nations could dramatically alter the situation in Southeast Asia, and, in turn, the POW/MIA equation. Several factors would benefit Vietnam and allow that country to concentrate on its economy, work to resolve the Cambodian situation, and pave the way for better relations with the United States, other Western nations and ASEAN:

- A rapprochement with China, which leads to China's drawdown of troops on the Sino-Vietnamese border, cessation of aid to the Cambodi-

an resistance, and pressure on Thailand not to support or provide sanctuary to the resistance forces, would facilitate Vietnam's resolving its problems.

- A rapprochement between the USSR and China, which did not compromise or exclude Vietnam's interests, could promote a more stable Southeast Asia, particularly if the Soviets and Chinese provided economic encouragement combined with the appropriate amount of pressure to encourage Hanoi to resolve the Cambodian issue.
- A warming of relations between Vietnam and China and/or China and the USSR and a determined effort to extricate itself from Cambodia would encourage a more favorable view of Hanoi among ASEAN and the West and pave the way for improved relations.

ANNEX A

The Korea Connection

Vietnam is not the only Asian country trying to exploit POW/MIA issues. Almost 8,200 Americans were never accounted for after the Korean war. A total of 389 servicemen, known to be alive in Communist POW camps prior to the cease-fire, were not repatriated after the 1953 armistice. Thirty-three years later their fate is still unknown.

Various sources indicate numerous grave sites are located at 13 former POW camps and a POW hospital. In addition remains of UN soldiers are periodically discovered during construction in forward areas near the Demilitarized Zone. North Korean attempts to identify some recently exhumed remains, however, have met with limited success. Lack of adequate records, both of POW casualties and exact grave locations, has further hampered efforts by P'yongyang.

Since mid-1985, North Korea has tried to exploit the Korean war dead as part of a continuing attempt to create a forum for direct official contact with the United States. P'yongyang has offered to return

remains of some of the over 2,500 missing and unaccounted for UN POWs believed located in North Korea. However, negotiations have stalemated over the North's unwillingness to employ the multinational Military Armistice Commission, which includes South Korean representatives, as a communications channel.

P'yongyang's goal is to establish a bilateral dialogue with Washington that will lead to the eventual withdrawal of US forces from the peninsula. In addition the North hopes to undermine the legitimacy of the South by excluding the Republic of Korea from any direct negotiations.

Noting Hanoi's attempts to exploit POW/MIA issues and the growing interest of Korean war veteran's groups, P'yongyang will continue to play its MIA hand. North Korea may repatriate some remains either to keep the issue alive or in an attempt to project an image of international responsibility. However, P'yongyang is unlikely to agree to joint recovery efforts in North Korea with any US agency.

ANNEX B

The French Experience

In more than three decades since the end of the first Indochina war, the French Government has yet to receive a full accounting for its missing servicemen.

By 9 September 1954, the deadline for release of all prisoners of war under the Geneva Agreements, the Vietnamese Communists had returned about one-third of the prisoners listed by the French. By May 1955, when the last French forces pulled out of North Vietnam, the number of men from the French Expeditionary Corps listed as "missing or failed to return from captivity" totaled 8,746, of whom 2,995 were French nationals.

When accused of withholding prisoners, the Hanoi government subsequently asserted that it had released all POWs in accordance with the Geneva Agreements, and that any missing personnel whom they had not listed as having "rallied" to their side should be considered as killed in action or dead from wounds. In 1955-56, under the supervision of the International Control Commission (ICC), Hanoi released a total of 450 non-French soldiers of the Foreign Legion for repatriation to Central and Eastern Europe. Reliable Western observers in Vietnam during this period said that hundreds more legionnaires were released via China without the required notice to the ICC or the French Command. Later, during the 1960 and early 1970s, the Hanoi government repatriated hundreds of non-French personnel to their native countries as a result of actions initiated by their embassies, without informing the French authorities or the ICC. There are indications that some of these persons may not have been in Vietnam on their own volition.

Most of those not repatriated prior to the September 1954 deadline were not French nationals from Metropolitan France but were East Europeans, North Africans, and other nationalities who had served in the French Expeditionary Corps. The only French nationals who are known to have been returned to French authorities after 1954 were 40 enlisted men released in 1962 and flown to France with their Vietnamese families. Some if not all reportedly were tried as deserters in France.

In June 1971, responding to a question in the National Assembly, the French Foreign Minister asserted that to the government's knowledge no

French POWs were held in North Vietnam after the execution of the Geneva Accords in 1954, and that no members of the French Far East Expeditionary Corps were being held against their will in 1971.

The Remains Issue

While the French Government apparently is satisfied that all French prisoners were released at the end of the Indochina war, it is clear that the Hanoi government did not honor the terms of the Geneva Agreement to account for all French troops who were under Vietnamese control after the end of the war.

The remains of over 22,000 French nationals and legionnaires were initially buried in Vietnam. In February 1955, the French High Command and the People's Army of Vietnam (PAVN) signed a graves agreement to establish protocols for repatriation of the remains of men who had fallen on both sides in the conflict. They were to take "all necessary measures" to complete the task by 1 July 1956—17 months after signature of the agreement. In the following 21 years, as of February 1976, the Vietnamese returned to France fewer than 1,500 sets of remains. All of the remains released by Hanoi had been buried by the French in military cemeteries in North Vietnam. Hanoi has not returned the remains of any of the men listed by the French as missing in action or as having died in captivity. Despite the substantial political and economic concessions the French have made to Hanoi since 1954, France has never received a full accounting for its missing and dead.

In contrast, in South Vietnam, Laos, and Cambodia, where the host governments cooperated with the French, the French Graves Service was able to reinter in the French cemetery at Tan Son Nhut, Saigon, the remains of virtually all French military personnel who had died in those countries.

In August 1986 Paris and Hanoi reached an agreement concerning the repatriation of the remains of an estimated 25,000 French soldiers killed during the first Indochina war. The operation is expected to take two years, with the costs, estimated at \$2.5 million, being borne by France.



Intelligence Community Assessment

Vietnamese Storage of Remains of Unaccounted US Personnel

Scope Note

Vietnamese Storage of Remains of Unaccounted US Personnel

This Intelligence Community Assessment was prepared in conjunction with the declassification of Special National Intelligence Estimate (SNIE) 14.3-87, *Hanoi and the POW/MIA Issue*, dated September 1987. In considering the request to declassify this Estimate, the Intelligence Community conducted its usual examination to ensure the protection of sources and methods. In the course of this, we developed reservations about some of the judgments in the 1987 Estimate and became aware of some additional research that has a bearing on them. We thought it appropriate to place these points on record in this companion paper to the declassified Estimate.

This Assessment was prepared by Richard C. Bush, National Intelligence Officer for East Asia. It was coordinated by the Defense Intelligence Agency and other DOD elements and by the Department of State's Bureau of Intelligence and Research. The CIA defers judgment on this Assessment to those Community components with expertise and information files on the location, identification, and availability of US remains in Southeast Asia.

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Discussion

What the Estimate Says

Special National Intelligence Estimate (SNIE) 14.3-87, *Hanoi and the POW/MIA Issue*, September 1987, in two places addresses the subject of the Socialist Republic of Vietnam's (SRV's) storage of remains of US military personnel. The Discussion section states:

There is a considerable body of evidence that the Vietnamese have detailed information on the fates of several hundred personnel. North Vietnamese and Viet Cong forces had policies governing the handling of US remains that included removing identifying data, burying the remains, and sending the identification and location of the grave site to Hanoi. We estimate that the Vietnamese have already recovered and are warehousing between 400 and 600 remains.

Thus, Hanoi could account quickly for several hundred US personnel by returning warehoused remains and by providing material evidence that could aid in determining the fate of other personnel.

The analogous text in the **Key Judgments** section is basically the same. The only difference is that the opening phrase of the first sentence and all of the second sentence are omitted.

The "Estimative" Process of SNIE 14.3-87

The first draft of the SNIE, which was prepared by a DIA analyst, stated: "They [the Vietnamese] have warehoused a number of remains; estimates range from approximately 400 to 600." In

contrast, the second and subsequent drafts made a stronger statement, we assume as the result of editorial changes: "In addition, we estimate that the Vietnamese have warehoused between 400 and 600 remains." This statement was not subjected to close scrutiny. Community analysts who participated in the preparation of the SNIE deferred to the principal drafter of the Estimate on the number of warehoused remains because the drafter's agency had sole responsibility and expertise for assessing technical aspects of the remains issue.

Numbers of Remains Stored

Origins of the 400 Figure

The only estimate of remains stored by Hanoi based on direct information and available at the time of the preparation of the SNIE was that of a Sino-Vietnamese **SD** who left Vietnam in 1979 **SC**.

He gave rough estimates of the number of remains that he prepared from 1969 to 1973, as follows:

Mid-1969 to 1970	20-30 sets
1971	30-40 sets
1972	30-40 sets
1973	"Almost" 200 sets

The **SC** stated that he personally processed the remains from 1969 to 1972. The "almost 200" sets in 1973 were processed on a crash basis by Vietnamese military personnel

working under the SC's supervision. The SC also reported that in the mid-1970s he was periodically detailed to repair damage to remains at a facility at 17 Ly Nam De Street. He recalled that about 30 to 40 sets of remains were reprocessed.

On several occasions up to mid-1977, the SC was able to look through a doorway into a room at 17 Ly Nam De Street where he saw a large number of boxes placed on risers, approximately 10 tiers high, on three sides of the room. He was not allowed to enter the room but estimated there were about 400 boxes.

The SC's reporting that Hanoi had a program to recover, process, and store remains has since been confirmed by Vietnamese officials.¹ Yet his various quantitative estimates are not precise and are subject to qualification. He consistently stated that his figures were estimates:

- The SC did not have access to the room where the remains were stored nor did he have a master list of remains. He was not able to count the boxes or otherwise make a precise calculation and gave no basis for the 400 number.
- There was no way that the SC could be sure that all the boxes in that room held remains or that the remains were those of Americans. Some of the boxes may have been empty and others may have contained indigenous Mongoloid remains mistakenly recovered by untrained Vietnamese specialists. Hanoi has transferred remains to the United States that have turned out to be Mongoloid, not American.

¹ Those officials also asserted that they had returned all the remains accumulated.

The uncertainty of the SC's estimate of 400 boxes at 17 Ly Nam De Street is replicated in his discussion of the subset of stored remains that he either personally processed or supervised the processing. As noted above, his year-to-year recollections are stated as fairly wide ranges (20 to 30, 30 to 40)—further evidence of the vagueness of his recollections. (An aggregation of these year-to-year figures would yield an overall estimate of 280 to 310 sets of remains.)

Given the roughness of the SC's various estimates, we cannot conclude with a high degree of certainty that Hanoi held 400 sets of remains in 1977. As such, it should not serve as a firm baseline.²

Where Did the 600 Figure Come From?

We are uncertain on what evidence the 600 upper margin of the SNIE's 400-to-600 range was based. There are at least three possibilities:

- In 1977 a refugee passed on a hearsay report that there were 600 sets of American remains in a warehouse in Haiphong. DIA tried but was unable to corroborate this report.
- The 600 number may have been simply a combination of the 200 sets whose processing the SC supervised in 1973 plus the 400 he said he saw in 1977.

² It has become part of the public record that the SC claimed to have personally processed over 400—either 426 or 452—sets of remains, which seemingly contradicts his other statements. Actually, the SC carefully differentiated between the sets of remains he said he worked on (280 to 310) and what he believed was the total number of boxes (400). He arrived at the 426 figure by combining the 400 boxes he estimated he saw in the room in 1977 and two other groups of remains that he worked on that could not have been in the room: 23 sets of remains of Americans who died in captivity, which were repatriated in 1974 and three sets that he processed in Ho Chi Minh City (Saigon), of which two were repatriated in 1976. The number 452 was probably a mistranslation of what was said during a tense Congressional hearing.

- The number may have been a simple extrapolation: the 400 remains that Hanoi purportedly held in 1977 were increased by 50 percent to account for the number of remains Hanoi could presumably recover during the subsequent decade.

In none of these possible explanations, however, is there a compelling evidentiary basis. In short, there appears to have been no solid basis for the 600 end of the 400-to-600 range. As with the 400 number, it should not be regarded as a firm baseline.

Other Relevant Evidence

Effectiveness of the Vietnamese System
Implicit in any discussion of the storage issue are assumptions about the success of the central government's efforts to recover remains (see inset). Documentary research and field investigation suggest that the effectiveness of Hanoi's location-and-recovery policy depended on several factors: Vietnamese knowledge that death had occurred; the accessibility of the place of death; the circumstances of the death; the diligence of local authorities in burying bodies and documenting the fact of burial and the location; the degree to which graves and crash sites were preserved over time; the time that elapsed before the central government decided to recover remains not yet under its control; and the extent of SRV capacity to find the graves, recover American remains, and ensure recovery to Hanoi without error. For example, recovery of remains:

- Was far more successful in northern Vietnam, where American deaths were the result of aircraft shootdowns, and where both a civilian and military administrative apparatus existed to locate bodies, put them in temporary graves, record necessary data, and send reporting to higher echelons.

- Was much less successful in the south, and even less so on the Ho Chi Minh Trail. Recovery in these areas was less successful for several reasons: combat was more varied and continuous, the civilian administrative network was less established (or even absent), many sites were remote or inaccessible, transferring remains information to center authorities was difficult, and fewer eyewitnesses of original burial were available. In the south, it appears there was only a very limited effort to comply with postwar instructions to recover American remains. We have no specific evidence that an effort was made to recover American remains along the Ho Chi Minh Trail.

In North Vietnam, burial by local authorities—and therefore the possibility of remains recovery—was more likely in cases where a plane crash occurred in populated areas in which the pilots ejected from their aircraft. Burial and recovery were less likely when a crash took place in remote or inaccessible areas or when the pilot did not eject.

Documents concerning remains recovery that Vietnam has turned over to the United States in recent years have provided a new and more detailed basis for evaluating the effectiveness of the effort, and therefore the possibility that Hanoi is still storing remains. For instance, a 1994 study by DOD's Office of POW/MIA Affairs (DPMO) of remains recovery in all of Military Region 4, for which the records transferred to the United States are the most complete, concludes that "based on information currently available, DPMO can find no 'smoking gun' . . . to support the thesis that Vietnam is still withholding significant numbers of remains collected in MR4 prior to 1978." Anomalies have occurred, but most of them appear to be the result of administrative errors.

SRV Policies on Burial and Remains Recovery

Burial and Documentation. During the Indochina conflict, it was standard Hanoi policy that Americans who were killed in action should be buried on the spot. Vietnam lacked the capacity to transport corpses rapidly and under refrigerated conditions; local sanitation was also a concern. At least in northern Vietnam, traditional Vietnamese burial practices were followed: bodies were enclosed in whatever material was available (for example, a parachute or plastic) and then placed in temporary graves, where tissue decomposition was relatively quick and complete.*

As suggested in SNIE 14.3-87, it was also SRV policy that authorities at local levels (1) file reports on incidents involving the death of American personnel, (2) send to Hanoi artifacts associated with dead Americans, and (3) retain information on the location of the graves. The Enemy Proselytizing Department of the General Political Directorate of the Ministry of National Defense supervised this process throughout Indochina.

Review and Recovery. At several points after 1969, Hanoi tasked authorities at local levels to compile information on burial sites and, in some cases, to disinter the skeletal

* According to North Vietnamese custom, Vietnamese corpses would remain in these temporary graves for at least three to five years, after which the skeletal remains would be exhumed, treated, placed in a small casket, and buried permanently. There is no evidence that American remains were subject to this practice at the local level. Exhumation of remains thought to be American usually occurred when higher authority ordered it.

remains and transfer them to higher levels, where they might be reburied or placed in an aboveground storage facility. Research based on documents turned over by Hanoi during the last few years indicates (a) that these requirements were unevenly observed from place to place and over time, and (b) that the Center sought to reinvigorate compliance periodically, when there were changes in administrative jurisdiction over remains management and when hopes were revived for improvement in US-Vietnamese relations.

The SC who left Vietnam in 1979 played a key role in processing remains. Although he normally worked in the civilian cemetery system, his superiors ordered him to process remains for an agency of the General Political Directorate. He cleaned the remains, prepared them for preservation, placed them in a box, and reported any missing skeletal parts. The mortician saw no identifying data associated with the remains but on occasion would be told that the remains were American. Upon completion of the preparation, he would turn the box over to a military representative. He was told by military personnel that in another room the remains would be photographed with identifying data recovered from the aircraft wreckage. Finally, he believed, the box was sent to the US POW camp at 17 Ly Nam De Street in Hanoi for storage.

The most detailed analysis so far is of documents from Quang Binh Province, which was part of MR 4. Based on those documents, it appears that:

- As of 1972 the authorities had knowledge of 45 deaths of American personnel in the province.
- Those 45 Americans were the focus of the province's efforts to locate graves and recover remains.
- In 22 of the 45 cases, the Vietnamese reported that it was not possible to recover the remains.
- In the 23 other cases, graves were located and remains recovered.

In 22 of the 23 cases in which remains were recovered, they were repatriated to the United States, and the 23rd case continues to be a subject of confusion. Furthermore, no evidence has been found to contradict the hypothesis suggested by the documents that remains were not withheld.

To sum up, the ability of the Vietnamese Government to find and take control of remains was a function of several factors, including location, circumstances of death, and quality of reporting of original burial site. Although Hanoi sought to recover remains, it was not necessarily successful in doing so in every case.

A more reliable estimate of the extent of Hanoi's remains collection and storage efforts over time can only come after a detailed study of the records from various levels of the Vietnamese hierarchy that are now being turned over to the United States.

Physical Evidence of Storage

In the early stages of remains repatriation in the 1980s, analytical efforts were undertaken to determine whether the remains turned over by Vietnam had been warehoused. The number of repatriated remains that showed evidence of storage could then be used as a basis for judging how many sets were still available for easy transfer to the United States.

Several indicators of storage were established: completeness of remains sets, extent of bone mass, presence of preservatives, extent of water damage, markings on the bones, and caskets with mixed remains from widely different areas. In one estimate, 163 sets positively identified by November 1995 as being US personnel showed signs of storage.

Yet, as expertise on remains identification has grown, there is declining confidence in precise estimates of the number of sets of repatriated remains that were centrally warehoused. First and foremost, the absence of signs of storage does not prove that remains have not been stored. Thus, the finding that 163 sets of repatriated sets show signs of storage does not mean that all other sets were not stored.

Moreover, some of the indicators of storage used previously are now deemed to be of limited validity:

- Completeness of sets of remains was in part a function of how they were handled up until the time of final exhumation from temporary graves (recall that remains might be buried more than once before being stored above ground).